

REMARKS

Claims 7, 8, 11, 19, 24, 29, 37-39, and 43 are amended, claim 45 are canceled, and no claims are added; as a result, claims 1-44 and 46-49 remain are now pending in this application.

Specification and Drawing Objections

The drawings were objected to under 37 CFR 1.83(a) as set forth on pages 2 and 3 of the Office Action mailed 13 December 2002. The specification was objected to as not describing features in the claims as set forth on page 4 of the Office Action. Specifically, the Office Action objected to claims 19, 24, 29, and 39 as including subject matter not shown in the drawings and not described in the specification. In response, applicant amends claims 19, 24, 29, and 39 to change the "pair of wordlines" to a wordline. Applicant submits that this amendment is supported by the specification and drawings, see e.g., Figure 5A. Moreover, applicant submits that these amendments are not narrowing and not made for purposes of patentability. Thus, these claims remain entitled to a full scope of equivalents. Reconsideration and withdrawal of the specification and drawing objections is requested.

Further Specification Objections

The disclosure was further objected to as containing informalities with regard to the title, serial numbers for related applications, and two references to Attorney Docket Number 1303.019us1 on page 1 of the specification. Applicant appropriately corrects these issues with the specification. Reconsideration and withdrawal of these objections is requested.

Claim Objection

Claim 5 was objected to based on an apparent dependency problem. the dependence of claim 5 is amended. Applicant believes that the objection is overcome, and withdrawal of the objection is requested.

S102 Rejection of the Claims

Claims 1, 2, and 33 were rejected under 35 USC § 102(a) as being anticipated by Forbes (U.S. 6,141,248). Applicant respectfully traverses. Claim 1 recites "wherein the control gate is

separated from the floating gate by a low tunnel barrier intergate insulator." Applicant can not find this feature in Forbes (U.S. 6,141,248). Reconsideration and withdrawal of the rejection of claim 1 and claim 2 depending therefrom is requested.

Claim 9 was rejected under 35 USC § 102(b) as being anticipated by Nishimura (U.S. 6,069,816). Applicant respectfully traverses.

Applicant can not find all of the features of claim 9 in Nishimura. For example, claim 9 recites, in part, a control gate opposing the floating gate, wherein the control gate is separated from the floating gate by a low tunnel barrier intergate insulator. Applicant can not find the low tunnel barrier intergate insulator.

The Office Action indicates that Nishimura's layer 32 is equivalent to the claim 9's low tunnel barrier intergate insulator. Applicant does not believe that this is the case. Nishimura's layer 32 is described as a ferroelectric layer. Col. 4, lines 14-19. Accordingly, Nishimura's ferroelectric layer 32 is not a low tunnel barrier intergate insulator as recited in claim 9.

Reconsideration and withdrawal of the rejection of claim 9 is requested.

Claims 43, 44, and 47 were rejected under 35 USC § 102(b) as being anticipated by Ratnakumar et al. (U.S. 5,986,932).

§103 Rejection of the Claims

Claims 3, 34, 4, 35, 5, and 36 were rejected under 35 USC § 103(a) as being unpatentable over Forbes et al. (U.S. 6,141,248) in view of Adam (U.S. 4,295,150). Applicant respectfully traverses. Applicant further submits that claims 3-5 are allowable with their parent claim 1. Applicant further submits that claims 34-36 are allowable with their parent claim 33.

Claim 6 was rejected under 35 USC § 103(a) as being unpatentable over Forbes et al. (U.S. 6,141,248) in view of Nishimura (U.S. 6,069,816) and Watanabe (U.S. 4,295,150). Applicant respectfully traverses. Applicant further submits that claim 6 is allowable with its parent claim 1.

Claim 10 was rejected under 35 USC § 103(a) as being unpatentable over Nischimura (U.S. 6,069,816) in view of Adam (U.S. 4,295,150). Applicant respectfully traverses. Applicant further submits that claim 10 is allowable with its parent claim 9.

Claim 48 was rejected under 35 USC § 103(a) as being unpatentable over Ratnakumar et al. (U.S. 5,986,932) in view of Adam (U.S. 4,295,150). Applicant respectfully traverses. Applicant further submits that claim 48 is allowable with its parent claims 43 and 47.

Allowable Subject Matter

Claims 19-27, 29-32, and 39-42 were allowed.

Claims 7-8, 11-12, 37-38, 45-46, and 49 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 7-8, 11, 37-38 are so rewritten. Claim 12 depends from claim 11 and is allowable therewith.

The subject matter of claim 45 was rewritten into claim parent claim 43. Accordingly, claims 43-44, and 46-49 are believed to be allowable.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 13th day of March, 2003.

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